

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MICHAEL KONOPKA and DRAGAN BOSOTINA, and on behalf of themselves and all others similarly situated, PLUMBERS LOCAL UNION NO. 1 OF THE UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND FITTING INDUSTRY OF THE UNITED STATES AND CANADA, TRUSTEES OF THE PLUMBERS LOCAL UNION NO. 1 WELFARE FUND, TRADE EDUCATION FUND, and 401(k) SAVINGS PLAN, TRUSTEES OF THE UNITED ASSOCIATION NATIONAL PENSION FUND, and TRUSTEES OF THE INTERNATIONAL TRAINING FUND,

Plaintiffs,

-against-

PACE PLUMBING CORP., PACE PLUMBING DELAWARE CORP., THE PACE COMPANIES NEW YORK LLC, PACE FIELD SERVICES, LLC d/b/a PACE MECHANICAL, and EAGLESTONE, LLC d/b/a EAGLESTONE NY, LLC, and ATERIAN INVESTMENT MANAGEMENT, LP d/b/a ATERIAN INVESTMENT PARTNERS,

Defendants.

25 CV 811 (RER) (CLP)

**DECLARATION OF
ADRIANNA R. GRANCIO,
ESQ.
IN SUPPORT OF MOTION
TO WITHDRAW AS
COUNSEL**

ADRIANNA R. GRANCIO, ESQ. declares:

1. I am admitted to the Bar of this Court and am a Partner with the law firm of Virginia & Ambinder, LLP (“V&A”), attorneys for Plaintiffs in this action. As the attorney responsible for this matter, I am familiar with the facts of this case and its procedural history and thus have sufficient knowledge to make this Declaration.

2. I submit this declaration in support of V&A’s motion to withdraw as counsel for Plaintiffs Trustees of the Plumbers Local Union No. 1 Welfare Fund, Trade Education Fund,

401(k) Savings Plan, Trustees of the United Association National Pension Fund, and Trustees of the International Training Fund (collectively, the “Trustee Plaintiffs”).

3. This action was commenced on February 12, 2025. *See* ECF Doc. No. 1.

4. On March 12, 2025, an amended complaint was filed *inter alia* adding the Trustee Plaintiffs. *See* ECF Doc. No. 8.

5. On April 29, 2025, the Clerk of the Court issued a certificate of default with respect to Defendants Eaglestone LLC, Pace Field Services, LLC, Pace Plumbing Corp., Pace Plumbing Delaware Corp., and The Pace Companies New York LLC. *See* ECF Doc. No. 25.

6. On May 20, 2025, Defendant Aterian Investment Management, LP (“Aterian”) filed a letter motion for a pre-motion conference in anticipation of its motion to dismiss. *See* ECF Doc. No. 29.

7. On May 28, 2025, Plaintiffs filed a letter in opposition to Aterian’s request for a pre-motion conference. *See* ECF Doc. No. 30.

8. On June 23, 2025, the Court issued a briefing schedule for Aterian’s motion to dismiss, with Defendant to serve its motion by July 15, 2025, Plaintiffs’ respective opposition papers due by August 15, 2025, and Aterian’s reply by September 15, 2025. Aterian shall then file a bundled motion on ECF by September 15, 2025. *See* ECF Minute Entry Runner dated June 23, 2025.

9. V&A and the Plaintiffs have mutually agreed to terminate the terminate the attorney-client relationship.

10. The Plaintiffs have freely and knowingly consented to this termination and have retained new counsel from the law firm of O’Donoghue & O’Donoghue, LLP (“O’Donoghue”). A Stipulation of Substitution of Counsel is attached hereto as **Exhibit A**.

11. O'Donoghue has confirmed that it does not intend to seek modification of any existing deadlines or dates for court appearances in this case. A copy of correspondence with O'Donoghue is attached hereto as **Exhibit B**.

12. V&A is not asserting a retaining or charging lien.

Executed on: July 1, 2025

VIRGINIA & AMBINDER, LLP

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